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Committees: Labor, Commerce, Research & Development, ranking Republican; Health & Long-Term Care; Ways & Means; Rules

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Hello from cold, sunny Olympia. The weather here this week continues to remind me of winter in Wenatchee, although we have no snow on this side of the Cascades. I've been scraping my windshield every morning.

The Senate early this week reached a key deadline for the session. Tuesday was the last day for the Senate to consider its own bills. That resulted in long hours on the Senate floor to debate and vote on bills that had cleared the Senate committees. With Senate floor cutoff now behind us, we are focusing our time on committee meetings in which public hearings are held on bills approved by the House. The Senate policy committees have until February 24 to pass House bills assigned there, and the Senate Transportation, and Ways and Means committees face a February 27 to approve House proposals sent there. The 2006 session is scheduled to end March 9.

Update on bills I've prime-sponsored this session

Here is the latest on the bills that I prime-sponsored this session:

- **I have good news about Substitute Senate Bill 6230**, which extends the state sales and use tax credit for certain public facilities districts (PFDs)! This bill is continuing through the process. It is listed along with 16 other revenue reduction bills in the proposed Senate supplemental operating budget. Basically, this means the budget writers recognize that money (.033 percent sales tax) is retained at the local level to help the proposed regional events center associated with the Wenatchee downtown waterfront project.
- **Substitute Senate Bill 6625** establishes a habitat and recreational lands coordinating committee to advise the Interagency Committee for Outdoor Recreation and other state

agencies on land acquisitions. This bill was passed 47-0 by the Senate on Tuesday. It is scheduled for a public hearing and possible approval by the House Natural Resources, Ecology and Parks Committee next Tuesday. This proposal will bring the Interagency Committee for Outdoor Recreation (IAC), the Department of Fish and Wildlife, Department of Natural Resources and the Parks and Recreation Commission together to form a habitat and recreational land coordinating group to make recommendations on land policy. It is important to think long-term for our state to make sure our land acquisitions are done with mindfulness, but also to coordinate so one agency is talking to another agency. SSB 6625 contains the recommendations from SB 6242, a measure I sponsored in 2004.

- **Substitute Senate Bill 6130** requires the Public Employees Benefits Board to make health savings accounts an option for public employees. I put a hold on this bill because I want Rep. Condotta's version (EHB 1383) to be the measure that is passed by the Legislature. EHB 1383 was passed 87-10 by the House on Tuesday. That bill is now in the Senate Health and Long-Term Committee.

- **Senate Bill 6333** requires voters to provide photo identification when they vote at the polls. No public hearing was allowed in the Senate Government Operations and Elections Committee. Valid photo ID would include a valid driver's license, a valid state identification card, a valid U.S. passport or a valid tribal identification card.

- **Senate Bill 6734** freezes our minimum wage at \$7.63 per hour and also requires the Washington State Institute of Public Policy to do an extensive study on how it affects the state economy. SB 6734 died in the Labor, Commerce and Research and Development Committee, but a similar measure introduced by Sen. Jim Hargrove (SB 5551) passed the Senate last week and has already received a public hearing in the House Commerce and Labor Committee.

- **Senate Bill 6763** calls for the state to recognize hydroelectric power as a renewable energy resource and to encourage its use. Although it wasn't passed by the Senate Water, Energy and Environment Committee, it did receive a public hearing, so at least there has been public discussion on this issue. It's important to hear all side of this issue, and that is whether hydropower is a renewable source of energy. SB 6763 is important to our region since it relies on hydropower not only for energy but for part of our economy.

Hydropower accounts for 74 percent of Washington's electricity, compared to only 7 percent nationally. Washington leads the nation in hydropower capacity. Hydropower is very abundant in the Northwest, and it is cheap compared to other energy sources. It is a clean, renewable source of energy whose production doesn't result in air pollution. We need to consider it as a renewable energy source because it truly is.

- **Senate Bill 6724** expands the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) Plan 2 so that a death benefit is available when a Plan 2 member dies as a result of illness while employed. Under the measure, the amount of the death benefit for

Plan 2 members would be adjusted annually for inflation, beginning July 1, 2006. Although my bill didn't survive the floor cutoff, the House version is still moving.

- **Senate Bill 6760** prohibits mosquito control districts from issuing fees or a tax on cities, churches, and other entities that are exempt from the property tax. This measure did not receive a public hearing in the Senate Government Operations and Elections Committee. I plan to reintroduce it in 2007.

Budget Tidbits...just the facts

Sen. Joe Zarelli, the ranking Republican member of the budget-writing Ways and Means Committee, each week publishes *Budget Tidbits...just the facts* on the Senate Republican Web site. The title of this week's edition (Budget Brief #6) is "Senate Supplemental Budget – Reserve Here Today, Gone Tomorrow." To find this year's editions of Budget Tidbits, go to <http://www1.leg.wa.gov/Senate/SRC>, then click on SRC Media Center and scroll down.

Legislature passes Columbia River water-use plan

Farmers and other water users in much of Eastern Washington will benefit from the Legislature's passage this week of a measure creating a new Columbia River management plan.

This historic water proposal, Engrossed Second Substitute House Bill 2860, was approved 48-0 by the Senate on Tuesday after the House passed it 94-4 Monday night. The bill is expected to be signed into law soon by Gov. Gregoire.

For years, a long-term solution to Eastern Washington's water storage and infrastructure problems has been extremely difficult, so this is a monumental breakthrough in terms of water use for the Columbia River Basin. It represents a major victory for agriculture and many communities throughout Eastern Washington.

This compromise proposal, which was forged after weeks of negotiations, also will protect the water needs of our 12th Legislative District, which relies heavily on irrigation for its agricultural products. The most important thing is to make sure that those of us on the north end of the Columbia River do not get hurt by the south end of the Columbia River and we somehow figure out a way to make all this work. I know that is the intent of this bill.

Under terms of the bill, a key priority for the Columbia River Basin is development of new water supplies both through construction of new storage facilities and conservation measures. Two-thirds of the new water will be used for out-of-stream uses and one-third for in-stream purposes.

It also creates a Columbia River Basin water supply development account that is to be funded by \$10 million appropriated by the Legislature last year, an additional \$10 million from the supplemental capital budget that the Legislature will approve in this session, and an additional \$200 million in bonding authority.

Finally, it authorizes the Department of Ecology to enter into voluntary regional agreements for new water only, and only along the Columbia River mainstem.

The bill contains a “null and void” clause, which means that if the promised funding is not forthcoming, E2SHB 2860 will not go into effect.

None of the money in the new Columbia River Basin account may be used for acquisitions or water right transfers from one part of the state to another. The Department of Ecology has been attempting to buy water rights from farmers and ranchers in northern and northeastern Washington for the state’s water trust and to meet needs in southern and southeastern Washington.

Despite the landmark passage of this water-use plan, there are still some controversial water issues left unresolved, such as water relinquishment, known as ‘use it or lose it.’

Effort to abolish death tax fails

In 1981, Washington voters approved Initiative 402 to end the state’s stand-alone estate tax and tie it to the federal estate tax for a credit. In 2001, when Congress voted to phase out the federal estate tax, Washington’s law was not changed, and the state Department of Revenue continued to collect taxes on estates. In February 2005, the Washington State Supreme Court ruled the state’s estate tax unconstitutional and ordered refunds. The ruling said a new tax burden can only be created by a law that states such a purpose. In the spring of 2005, the Legislature reinstated the state’s estate tax as a stand-alone tax. The first collections for people who died in 2005 are due in April. My Republican colleagues tried to bring Senate Bill 6309 up for a vote of the Senate on Monday, the day before the deadline for the Senate to pass its own bills. SB 6309 sought to end the state’s stand-alone estate tax imposed during the 2005 session. The motion was defeated along party lines.

Roadside tire chain businesses approved for mountain passes

Senate Bill 6528 is primarily a safety issue. During the winter, tire chains are often required to get over a mountain pass. But many people don’t know how to install them correctly and the chains end up being completely ineffective. In addition, many people – such as senior citizens – can’t get out of the car in the middle of a snowstorm to safely install their tire chains. SB 6528 allows the Washington State Department of Transportation to issue permits to allow for the installation or removal of tire chains on vehicles within certain designated areas. While no sales of tire chains are allowed, a fee may be charged for the installation and removal service. This measure is now in the House of Representatives for consideration after passing in the Senate 44-0 last week.

Sex offender registration law loophole closed

In 1990, the Legislature enacted one of the first sex offender registration laws in the nation. After an offender has served his or her time in prison, the offender must register with the sheriff’s office serving the community in which the offender lives. **Senate Bill 6144** makes it clear that this law also applies to offenders convicted in other states on or

before February 18, 1990, and offenders who move out of state and then move back. SB 6144 is now in the House of Representatives for consideration.

Update on Senate Bill 6502 and Senate Bill 6519:

Senate Bill 6502 received a unanimous vote of the Senate on February 9 and is now in the House of Representatives for consideration. This measure creates a statewide victims' notification system to more quickly let victims know when an offender is released from custody; if an offender is out of compliance with post-release conditions; or when a court proceeding is scheduled at which the victim may be present. This bill is important to victims and their peace of mind – not knowing an offender's whereabouts makes it difficult for victims to restore normalcy to their lives.

Senate Bill 6519 received a unanimous vote of the Senate on February 9 and is now in the House of Representatives for consideration. This measure requires high-risk registered sex offenders to report in person to the local sheriff's office every 90 days for five years. Violations extend the time the offender must report in. The measure also allows the sheriff's office to photograph the offender to update the offender's file at any time. The message in this bill is that "we're watching you."

Bill to fight methamphetamine crisis passes Senate

Methamphetamine or "meth" is a highly addictive illegal drug that is produced in highly volatile make-shift labs. Washington's Attorney General Rob McKenna convened a task force last year to develop recommendations to give local communities critical new tools to help address the meth crisis in Washington. Key provisions of **Senate Bill 6239** include: 1) Re-enacting Washington's Drug-Free Work Place standards, which compensates employers for keeping employees off drugs 2) Granting local health officials authority to inspect contaminated property and prohibits its use; 3) Requiring sentences for meth-related offenses to be served consecutively and limiting sentence reductions for "good time"; 4) Creating a treatment pilot project specifically for meth users, and approximately 100 new treatment beds; and 5) Providing direct support to local law enforcement and prioritizing aid to rural counties. SB 6239 is now in the House of Representatives for consideration after being unanimously passed by the Senate last week.

Emergency preparedness bill approved

Washington trails only Florida and California in the number of federally declared disasters. Hurricane Katrina focused the entire nation on what can happen if local and state governments are not prepared for a major disaster. On February 11, the Senate approved **Senate Bill 6433**, which creates a special account to provide grants to regional agencies, local and tribal governments, regional incident management teams and private organizations involved in disaster relief efforts. The grants are to be used for developing and coordinating emergency management plans, training, and projects that will strengthen emergency response, mitigation, preparation and coordination. Projects must include neighborhood level public education and enhancement of coordinated relief efforts. Proposed funding for the account is a per policy surcharge on homeowners' and business owners' property insurance policies. The Legislature will establish an advisory committee to study issues related to this source of funding and must report back to the Legislature by November 30, 2006. SB 6433 is now in the House of Representatives for

consideration.

Unemployment insurance reform a work in progress

In 2003, many of my Senate colleagues led the effort to make unemployment insurance (UI) more equitable and affordable for workers and employers. A key piece of that reform was basing benefits on the average of a worker's earnings during the most recent four quarters. Last year, the Legislature passed House Bill 2255, which appropriated one-time money to fund benefits based on a worker's earnings in the most recent two quarters. This change from four- to two-quarter averaging essentially means that someone who works a full year and someone who works only one-half year, but who earns the same wages, would get the same benefits. This forces full-time workers to subsidize part-time or seasonal workers. This change was supposed to be temporary, until July 1, 2007, so the issue could be studied. But on February 13, the Senate voted to make this change permanent -- threatening the sustainability and solvency of the UI trust fund. As part of the UI Reform Task Force that worked on this issue, I wasn't pleased with the proposal brought before the Senate this week. I voted against **Senate Bill 6885**, which is now in the House of Representatives for consideration. I am involved daily in discussions on this issue, with a goal of resolution at the end of session.

Requiring hospitals to help law enforcement in criminal investigations

Senate Bill 6106 allows law enforcement officials and health care providers to work hand-in-hand in criminal investigations. Without the help of hospitals, criminals being treated for injuries can sometimes be released and may reoffend. SB 6106 clarifies the state's current patient privacy law to act in accordance with the privacy provisions of the federal Health Insurance Portability and Accountability Act. HIPAA does not allow the release of patient information without consent from the patient, which in some cases are suspected criminals. The exception applies when state law explicitly instructs health care providers to do so. SB 6106 provides needed clarity by saying hospitals "shall" release the information.

I look forward to coming home to Wenatchee this weekend. As always, I appreciate the comments, suggestions and questions about issues covered in my e-mail updates, or any other issues. Have a wonderful Presidents' Day weekend!

Sincerely,

Linda

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